

VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
MINUTES
APRIL 13, 2011

TIME AND PLACE: The meeting of the Committee of Joint Boards of Nursing and Medicine and Advisory Committee of the Joint Boards of Nursing and Medicine was convened at 9:06 A.M, in Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chair
Sandra A. Bell, M.D.
Allison Gregory, R.N., L.N.P.
Joyce A. Hahn, Ph.D., A.P.R.N., N.E.A.- B.C.
Wayne Reynolds, D.O.

ADVISORY COMMITTEE
MEMBERS PRESENT: Joseph F. Borzelleca, Jr., M.D., M.P.H.
Carola Bruflat, M.S.N., WHNP/FNP
Mary Duggan, M.S., ACNP-BC
Carlton D. Everhart, M.D., F.A.A.F.P.
Barbara Kirkland, R.N., L.N.P.
Thomas J. Pajewski, Ph.D., M.D.
Ranjit R. Pullarkat, M.D.
Tom Watters, R.N., C.R.N.A.

STAFF PRESENT: Dianne L. Reynolds-Cane, M.D., Director
Arne Owens, Chief Deputy Director
Elaine Yeatts, Senior Policy Analyst
Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Charlotte M. Creed, Office Manager
Krystal Blanton, Senior Discipline Specialist

OTHERS PRESENT: Howard Casway, Senior Assistant Attorney General
William L. Harp, M.D., Executive Director, Board of Medicine
Elizabeth Carter
Michele Satterlund, Virginia Council of Nurse Practitioners
Nicole L. Pugar, Director, VCU Health System
W. Scott Johnson, Medical Society of Virginia
Philip H. Boykin, Government Relations Advisor for the Virginia Council of Nurse Practitioners

ESTABLISHMENT OF
A QUORUM: With five (5) members of the Committee present, a quorum was established.

ORDERING OF
AGENDA:

The agenda was reviewed and ordered.

PUBLIC COMMENT:

No public comments were received at this time.

DISPOSITION OF
MINUTES:

The minutes of December 1, 2010, were reviewed for historical purposes.

NEW BUSINESS:

Regulatory/Legislative Update

Ms. Yeatts discussed how regulations regarding continuing competency requirements will have an impact on registered nurses and nurse practitioners. Ms. Yeatts also discussed the Board of Nursing's budget deficit and the proposal to increase licensure fees for registered nurses and nurse practitioners. In addition, Ms. Yeatts provided information on several Bills, specifically Senate Bill 1117 which relates to the signing of death certificates by supervised nurse practitioners and physician assistants.

Dr. Selig inquired about the availability of a training module for advance nurse practitioners related to Bill 1117. Dr. Cane advised that the Department of Health Professions is working closely with the Virginia Department of Health in this regard.

Ms. Yeatts reported that participation in the Prescription Monitoring Program ("PMP") has increased from 75, 000 registered users in 2009 to 375, 000 users currently.

Healthcare Workforce Data/Nurse Practitioner Workforce Survey

Ms. Carter reported that Virginia is one of only a few states that collect healthcare workforce data, and an interim report will be available March 2012. Ms. Carter also advised that a nursing education program survey will be available soon.

Review of APRN Consensus Model

A video from The National Council of State Boards of Nursing entitled, "*The Consensus Model for APRN Regulation: Licensure, Accreditation, Certification, and Education*," was viewed. The video provided the following information:

- Beginning in 2004, nurse leaders worked together to develop new national standards for advance practice registered nurses. The standards would ensure that the education, accreditation, certification, licensure and practice requirements for advance practice registered nurses are the same throughout the country, which will allow them to work in various states without meeting

different licensure requirement, in addition to ensuring patient safety.

- The consensus model requires an advance practice registered nurse to have a graduate level education, regardless of their role. The goal is to ensure safe and competent people to practice.
- The consensus model benefits the public by increasing access to qualified health care.
- APRN's benefit from the consensus model because it eliminates their need to meet different requirements for each state.
- The new national standard would require each educational program to be accredited by one of the major nursing accrediting bodies.

Virginia Association of Nurse Anesthetists - Review of Regulation

Ms. Satterlund commented on how to find opportunities in current regulations to fit in with the consensus model. Ms. Satterlund also indicated that the focus should be on education and training as opposed to the variation in state laws. Further, she stated that consumer groups and people who are impacted on a day-to-day basis should provide input regarding the consensus model.

Elaine Yeatts advised that in order to implement the consensus model, the Board must look at statutes that currently exist. The committee must make a recommendation to the Board.

Dr. Bell moved to respond to the Virginia Association of Nurse Anesthetists. The motion was carried unanimously.

Ms. Kirkland commented regarding the length of time the consensus model process has taken. Dr. Selig stated that there has been a great movement towards the consensus model. However, some states are unable to move forward due to legislation and lack of congruency.

Ms. Duggan reported that the Board of Health Professions, comprised of a member from each regulatory Board and citizens, will meet May 3, 2011 to consider designing a study to look at scope of practice issues in Virginia.

Meeting Dates:

The next meeting date will be Wednesday, June 15, 2011.

RECESS:

The business meeting concluded at 10:24 a.m.

Ms. Gregory left the meeting.

RECONVENTION:

The Committee reconvened at 10:45 a.m.

Consideration of Agency Subordinate Recommendations:

CLOSED MEETING:

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:50 a.m., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Gregory moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:56 a.m.

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Diane Burns, R.N., L.N.P. – 0024-164359; 0017-137410

Dr. Bell moved that the Committee of the Joint Boards of Nursing and Medicine modify the agency subordinate's recommendation to indefinitely suspend Ms. Burns' prescriptive authority and her license to practice as a nurse practitioner in the Commonwealth of Virginia for not less than two years and until such time that Ms. Burns can demonstrate that she is able to resume the safe and competent practice of prescribing medications.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:00 a.m., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Gregory moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:04 a.m.

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mary Ann Cash, R.N., L.N.P. – 0024-167268

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine accept the agency subordinate recommendation to indefinitely suspend Ms. Cash's right to renew her license to practice as a nurse practitioner in the Commonwealth of Virginia until such time she can demonstrate that she is capable of resuming the safe and competent practice as a nurse practitioner.

The motion was seconded and carried unanimously.

Sally A. Carr, R.N., L.N.P. – 0024-039063; 0001-039063

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine accept the agency subordinate recommendation to indefinitely suspend Ms. Carr's license to practice as a nurse practitioner in the Commonwealth of Virginia until such time as Ms. Carr provides proof that she has satisfied the continuing competency requirements for the 2010-2012 renewal of her license.

The motion was seconded and carried unanimously.

INFORMAL
CONFERENCE:

Michael Nosbisch, C.R.N.A. – 0001-172493; 0024-164581

Mr. Nosbisch appeared and was not represented by an attorney.

CLOSED MEETING:

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:42 a.m., for the purpose of deliberation in the matter of Michael Nosbisch, C.R.N.A. Additionally, Dr. Reynolds moved that Ms. Douglas, Ms. Mitchell, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

RECONVENTION:

The Committee reconvened in open session at 11:47 a.m.

Dr. Reynolds certified that the Committee of the Joint Boards of Nursing and Medicine heard, discussed or considered only public business matters lawfully exempted from open meeting requirements

under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Mr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine dismiss the matter of Michael Nosbisch, C.R.N.A.

The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 11:52 a.m.

Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director, Board of Nursing